

DENIED without prejudice to relief being  
sought by regularly noticed motion.

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Entered on Docket

5 August 09, 2023



Honorable Mike K. Nakagawa  
United States Bankruptcy Judge



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*Counsel for Official Committee  
of Unsecured Creditors*

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**UNITED STATES BANKRUPTCY COURT**

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**DISTRICT OF NEVADA**

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In re

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CASH CLOUD, INC. dba COIN CLOUD,

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Debtor.

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Case No.: 23-10423-mkn  
Chapter 11

**ORDER GRANTING DERIVATIVE  
STANDING TO THE OFFICIAL  
COMMITTEE OF UNSECURED  
CREDITORS WITH RESPECT TO  
CERTAIN ACTIONS**

1 Upon consideration of the *Stipulation Granting Derivative Standing to the Official Committee*  
2 *of Unsecured Creditors With Response to Certain Actions* (the “Stipulation”) between Cash Cloud,  
3 Inc. dba Coin Cloud (“Debtor”), debtor and debtor in possession in the above captioned case (the  
4 “Chapter 11 Case”), by and through its counsel Fox Rothschild LLP, and the Official Committee of  
5 Unsecured Creditors, by and through its counsel Seward & Kissel LLP and McDonald Carano LLP  
6 (the “Committee,” and together with the Debtor, the “Parties”), and good cause appearing therefor:

7 **IT IS HEREBY ORDERED** that the Stipulation is approved in its entirety.

8 **IT IS FURTHER ORDERED** that the Committee is authorized and has derivative standing  
9 to initiate, commence, negotiate, litigate, arbitrate, mediate, settle, compromise, resolve, and to carry  
10 out any and all other or further initiatives attendant thereto, the Actions (as defined in the Stipulation)  
11 on behalf of the Debtor’s estate.

12 **IT IS FURTHER ORDERED** that the Stipulation does not modify, amend, waive, or have  
13 any other effect whatsoever upon any provision in any final order (the “Confirmation Order”)   
14 confirming the *Debtor’s Chapter 11 Plan of Reorganization* [ECF. No. 528] (as the same may be  
15 amended or supplemented from time to time, the “Plan”), which remains in full force and effect. For  
16 the avoidance of doubt, any proceeds of the Actions obtained by the Committee pursuant to the  
17 Stipulation shall be administered and distributed in accordance with the Plan and Confirmation  
18 Order.

19 **IT IS FURTHER ORDERED** that for the avoidance of doubt, nothing in the Stipulation  
20 affects the ability of the Committee to obtain derivative standing with respect to any claims or causes  
21 of action for which derivative standing is not expressly granted by the Debtor herein, including but  
22 not limited to the Excluded Preference Actions (as defined in the Stipulation), and the Committee  
23 reserves any and all rights to seek derivative standing on any other claims or causes of action that  
24 may now or hereinafter exist, including but not limited to the Excluded Preference Actions.

25 **IT IS FURTHER ORDERED** that the Court retains exclusive jurisdiction with respect to  
26 all matters arising from or related to the interpretation or implementation of the Stipulation.

27 **IT IS SO ORDERED.**

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1 Prepared and respectfully submitted by:

2 McDONALD CARANO LLP

3 /s/ Ryan J. Works

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